1	AARON D. FORD		
2	Attorney General Michael J. Bongard (Bar. No. 7997)		
	Senior Deputy Attorney General		
3	State of Nevada Office of the Attorney General		
4	1539 Avenue F, Suite 2 Ely, NV 89301		
5	(775) 289-1632 (phone) (775) 289-1653 (fax)		
6	mbongard@ag.nv.gov		
7	Attorneys for Respondents		
8	UNITED STATES DISTRICT COURT		
9	DISTRICT OF NEVADA		
10	OMAR AYALA,	Case No. 2:17-cv-02093-RFB-VCF	
11	Petitioner,	UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO FILE THE	
12	vs.	RESPONSE TO THE FOURTH AMENDED	
13	BRIAN E. WILLIAMS, SR., et al.,	PETITION FOR WRIT OF HABEAS CORPUS (ECF NO. 46)	
14	Respondents.	(= 0= =.00	
15	Respondents, through legal counsel, Aaron D. Ford, Attorney General of The State of Nevada		
16	and Michael J. Bongard, Senior Deputy Attorney General, hereby move this court for a thirty (30) day		
17	enlargement of time, up to and including September 10, 2021, in which to submit the response to		
18	Petitioner Omar Ayala's Fourth Amended Petition for Writ of Habeas Corpus by a Person in State		
19	Custody Pursuant to 28 U.S.C. §2254. (ECF No. 23). The answer is currently due August 11, 2021.		
20	Respondents base this motion on the declaration of Counsel.		
21	This is Respondents' first request for an extension of time in which to file an answer and made in		
22	good faith and not for purposes of delay.		
23	DATED this 4th day of August, 2021.		
24		AARON D. FORD	
25		Attorney General	
		By: /s/ Michael J. Bongard	
26		Senior Deputy Attorney General	
27			
28			

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2	Michael J. Bongard (Bar. No. 7997) Senior Deputy Attorney General		
3	State of Nevada		
4	Office of the Attorney General 1539 Avenue F, Suite 2		
5	Ely, NV 89301 (775) 289-1632 (phone)		
6	(775) 289-1653 (fax) <u>mbongard@ag.nv.gov</u>		
7	Attorneys for Respondents		
8	UNITED STATES DISTRICT COURT		
9	DISTRICT OF NEVADA		
10	OMAR AYALA,	Case No. 2:17-cv-02093-RFB-VCF	
11	Petitioner,	DECLARATION OF	
12	VS.	MICHAEL J. BONGARD	
13	BRIAN E. WILLIAMS, SR., et al.,		
14	Respondents.		
15	1. I am a Deputy Attorney General employed by the Attorney General's Office of the Stat		
16	of Nevada in the Post-Conviction Division, and I make this declaration on behalf of Respondents		
17	Unopposed Motion for Enlargement of Time to file the response to the petition (First Request) in the		
18	above-captioned case. By this motion, I am requesting a thirty (30) day enlargement of time, up to an		
19	including, September 10, 2021, to file and serve the answer. The answer is currently due August 11		
20	2021.		
21	2. Counsel took annual leave between	July 13, 2021, and July 19, 2021 in order to visit his	
22	family for the first time since December 2019.		
23	3. Counsel just completed the draft of	the answer brief in Bejarano v. Gittere, et al., Ninth	
24	Circuit Case Number 11-99000 (death penalty case). Counsel also must complete the supplemental brief		
25	in a state habeas corpus case, Ferm v. Nevada Department of Public Safety, et al, Eighth Judicial Distric		
26	Court Case Number A-19-789688-W, due August 9, 2021. On July 27, 2021, Counsel also filed th		
27	answer to the petition in another state habeas case, <i>Leal v. Hutchings</i> , Eight Judicial District Court Cas		
28	Number A-20-814369-W.		

Case 2:17-cv-02093-RFB-VCF Document 49 Filed 08/05/21 Page 3 of 4 4. On July 30, 2021, Counsel e-mailed opposing counsel, Kimberly Sandberg from the Federal Public Defender, to determine whether she would oppose this request for enlargement of time. Ms. Sandberg replied via e-mail stating that she does not oppose this motion. For these reasons, Counsel respectfully asks this Court to grant the request for an extension of time of thirty (30) days to file the response to the petition. DATED this 4<sup>th</sup> day of August, 2021. By: /s/ Michael J. Bongard\_ Michael J. Bongard (Bar No. 007997) Senior Deputy Attorney General IT IS SO ORDERED: RICHARD F. BOULWARE, II United States District Judge DATED this 5th day of August, 2021. 

**CERTIFICATE OF SERVICE** I hereby certify that I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system on the 4th day of August, 2021. The following participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Kimberly Sandberg Assistant Federal Public Defender 411 E. Bonneville, Suite 250 Las Vegas, NV 89101 /s/ Lisa M. Clark An Employee of the Office of the Attorney General